

ELEVENTH DAY
(Thursday, July 27, 1978)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Absent-excused: McKnight.

A quorum was announced present.

The Reverend Dr. James C. Suggs, Texas Conference of Churches, Austin, offered the invocation as follows:

Our Creator and Lord, we are not merely using figurative language when we say that You own all that we possess and use. We know that the earth is Yours. The land, the minerals, the growing things, even the human potential that gets converted into money—all of it belongs to You. The resources of Texas, our nation, our world—they are Yours. It is an humbling responsibility to represent an electorate vibrant with competing interests. But even more awesome is the responsibility to be good stewards of what You have placed under our control and in our care. Master, hear our silent confessions, encourage our best resolutions and open our minds to worthy actions stewards might take in this chamber today and in the days ahead. Grateful for the possibilities before us, we turn to our tasks. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator McKnight was granted leave of absence for today on account of important business on motion of Senator Moore.

REPORT OF STANDING COMMITTEE

Senator Aikin submitted the following report for the Committee on Finance:

C.S.S.J.R. 14 (Read first time)

MESSAGE FROM THE HOUSE

House Chamber
July 27, 1978

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 16, In memory of Bobby Paul Doherty.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 17 by Aikin Finance
Making an appropriation to pay for the cost of publication of notice of proposed constitutional amendments.

S.B. 18 by Jones of Harris Administration
Relating to the arrangement on the ballot of certain proposed constitutional amendments; amending Section 63, Texas Election Code, as amended (Article 6.07, Vernon's Texas Election Code), by adding Subdivision 1a.

S.B. 19 by Farabee Education
Relating to county school administration; amending Sections 17.94, 17.95, 17.99, 20.43(b), 23.01, 23.03, 23.06, 23.10, 23.11(c), 23.12(a), 23.61(a), 23.72, and 23.73(1), Texas Education Code, as amended; and repealing Sections 23.02 and 23.05, Texas Education Code, as amended.

S.J.R. 15 by Schwartz, Aikin Finance
To repeal and prohibit all State ad valorem taxes on any property within this State by amending Article VII, Section 17, and Article VIII, Section 1-e, of the Texas Constitution; to establish the State Higher Education Assistance Fund; and to amend Article VII, Section 18, of the Texas Constitution.

GUESTS PRESENTED

Senator Aikin presented to the Members of the Senate The Honorable Ed Howard, Democratic nominee, State Senate, District 1.

The President presented to the Members of the Senate his uncle, Tex Culp and his wife, Jackie.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H.C.R. 13
H.C.R. 12

EXECUTIVE SESSION

The President announced that the time had arrived for an Executive Session of the Senate. (Senator Andujar having given notice on yesterday.)

Accordingly, the President at 10:24 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order as In Legislative Session at 10:35 o'clock a.m. today.

The President asked if there were motions to sever nominees.

There were no motions offered.

On motion of Senator Andujar and by unanimous consent, the reading of the list of nominees was dispensed with.

On motion of Senator Mauzy^{*} and by unanimous consent, the following nominees were confirmed for the period indicated:

Robert Grainger, a nominee as a member of the University of Houston Board of Regents was appointed November 7, 1977 and died December 11, 1977.

J. J. McCuan, a nominee to the Industrial Accident Board, was appointed September 1, 1978 and died April 5, 1978.

John Bean, a nominee to the Texas Rehabilitation Commission, was appointed January 18, 1978 and died April 25, 1978.

Mrs. Veda Hodge, a nominee to the Texas Commission on the Arts and Humanities, was appointed October 11, 1977 and died May 17, 1978.

As to other information which might be helpful, members of the Senate might like to know that Senator Mauzy and other current members of the Senate, according to the Senate Journal:

On February 3, 1977 voted to confirm John Garrett of Deer Park as a member of the Texas Amusement Machine Commission. Mr. Garrett was appointed June 20, 1975, submitted his resignation January 16, 1976 and his nomination was submitted to the Senate January 11, 1977.

On February 3, 1977 voted to confirm Dr. Vernon Spiva (deceased) as a member of the Fleet Admiral Chester W. Nimitz Memorial Naval Museum Commission. Dr. Spiva was appointed October 14, 1975 and died in November, 1976. His nomination was submitted to the Senate January 11, 1977.

On February 6, 1975 voted to confirm Judge Sam Callan of El Paso as Judge of the 205th Judicial District Court. Judge Callan was appointed June 15, 1973 and was elected to that position November 5, 1974. His nomination was submitted to the Senate January 15, 1975.

Senator Andujar moved the confirmation of the nominees reported by the Committee on State Affairs, Subcommittee on Nominations:

The nominees were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: McKnight.

NOMINEES CONFIRMED

To be Members of the PRODUCE RECOVERY FUND BOARD: MRS. TOM DIAMOND, El Paso County; HENRY L. VAN DE WALLE, SR., Bexar County; WAYNE A. SHOWERS, Hidalgo County.

To be a Member of the COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION: P. E. ADAMS, El Paso County.

To be Members of the STATEWIDE HEALTH COORDINATING COUNCIL: CHUCK DIERDORF, El Paso County; DR. WADE HARTRICK, El Paso County; MRS. A. H. MEINRATH, Nueces County; WILBUR RAY DUNK, Kimble County; TOMMY SEARGEANT, Kinney County; HENRY MOORE, Hill County; MRS. LaVONNE D. UNSELL, Denton County; BETTY HIMMELBLAU, Travis County; DR. JOHN T. KING, Travis County; IRWIN R. SALMANSON, Travis County; EARL LAWRENCE FRANCEL, Ector County; FREDDIE ALLEN HOWARD, Terry County; DR. ROBERT F. LEWIS, Ector County; MRS. VERONICA S. METCALF, Lubbock County; DR. JOHN H. SELBY, SR., Lubbock County; T. J. TAYLOR, Crosby County; DR. L. S. THOMPSON, JR., Dallas County; CECIL R. BOMAR, Nacogdoches County; JAMES W. GAINEY, JR., Wood County; LOUIS T. BOGY, Bexar County; JACK M. CAMPBELL, Grayson County; BONNY ELBERT ROARK, Cass County; DR. JAMES L. COLEMAN, JR., Victoria County; DR. PER H. LANGSJOEN, Bell County; ROBERT E. YANCEY, Jefferson County; MRS. PETER D. (DOROTHY) KISLING, Fort Bend County; JOSE L. "PEPE" GONZALEZ, Webb County; JOHN PAUL THOMPSON, Polk County; BENITO LONGORIA, JR., Cameron County; BOONE POWELL, JR., Taylor County; DR. CARMAULT B. JACKSON, JR., Harris County; DR. FRANCINE JENSEN, Harris County.

To be Members of the DISTRICT REVIEW COMMITTEE: DR. WILLIAM HALL WADE, El Paso County; DR. RUTH M. BAIN, Travis County; DR. JOAQUIN B. GONZALEZ, Bexar County; DR. JAMES L. COLEMAN, JR., Victoria County; DR. JOHN W. FREESE, Tarrant County; DR. CLYDE CAPERTON, Brazos County; DR. TRAVIS SMITH, Taylor County; DR. THOMAS PASCHAL-CLARKE, Harris County; DR. ARTHUR MILTON JANS, SR., Harris County.

To be RIO GRANDE COMPACT COMMISSIONER: JESSE B. GILMER, El Paso County.

To be Members of the TEXAS SURPLUS PROPERTY AGENCY: GARLAND P. FERGUSON, Upshur County; WILLIAM H. BORCHERS, Comal County; THOMAS M. SPENCER, Harris County; MARION "PARKS" BOWDEN, Travis County; JESS M. IRWIN, JR., Travis County; ED F. RIEDEL, Travis County; BROTHER WILLIAM J. HAMM, Bexar County.

To be Members of the EGG MARKETING ADVISORY BOARD: ERNEST A. MAHARD, JR., Collin County; T. PRYSE METCALFE, Robertson County; HOBERT H. JOE, Harris County.

To be Members of the ADVISORY COUNCIL ON TECHNICAL-VOCATIONAL EDUCATION: MISS PHYLLIS MARIE CICERO, Smith County; MRS. RUTH ELLINGER, Travis County; DOYEL E. CHANDLER, Jasper County; MAXIA FARRIS, Walker County; DR. FRANK W. HUBERT, Brazos County; JOE A. RODRIGUEZ, Cameron County; DR. ROBERT D. HUNTER, Taylor County; MRS. HARRY W. PATTERSON, Harris County.

To be Members of the GOVERNOR'S COMMISSION ON PHYSICAL FITNESS: JOHN A. WARNER, Smith County; ROLLIN A. SININGER, Denton County; JAMES TERRELL TOWNSEND, Travis County; DONALD R. HALE, Howard County; A. D. GEARNER, JR., Dallas County; PROF. LEON G. ENGLISH, JR., Waller County; JOHN W. JONES, Lampasas County.

To be Members of the GREATER SOUTH TEXAS CULTURAL BASIN COMMISSION: RUTH GILL, Nueces County; BERNARDO M. SANDOVAL, JR., Bee County; MRS. DELIA GONSALEZ, Val Verde County; JULIUS NEUNHOFFER, Kerr County; DR. M. L. BROCKETTE, Travis County; JEROME H. CHAPMAN, Travis County; HARVEY DAVIS, Travis County; DR. FRATIS L. DUFF, Travis County; JAMES H. HARWELL, Travis County; CHARLES E. NEMIR, Travis County; NOLAN F. WARD, Travis County; W. H. PIERATT, Bell County; FINNIS E. JOLLY, Bexar County; EDWARD P. RODRIGUES, Maverick County; MARIO SANTOS, JR., Webb County; DR. J. A. GARCIA, Jim Wells County; JACOB G. RATHMELL, Zapata County; ROBERT D. YOUKER, Cameron County; JOSEPH B. SWANNER, Brown County.

To be Members of the COMMISSION ON THE ARTS AND HUMANITIES: MRS. L. D. BRINKMAN, Kerr County; MRS. MARY LOU BRAYMER, Taylor County; MRS. VEDA HODGE (deceased), Midland County.

To be Members of the FLEET ADMIRAL CHESTER W. NIMITZ MEMORIAL NAVAL MUSEUM COMMISSION: O. C. FISHER, Kimble County; JOHN H. GARRETT, JR., Harris County.

To be Members of the SCHOOL TAX ASSESSMENT PRACTICES BOARD: SERGIO GONZALEZ, JR., Val Verde County; JIM WEATHERBY, Kerr County; DR. JOHN E. CODWELL, SR., Harris County; MRS. DON WORKMAN, Lubbock County; JOSEPH A. VAN DE WALLE, SR., Bexar County; WILLIAM B. MUNSON, IV, Grayson County.

To be Members of the STRUCTURAL PEST CONTROL BOARD: W. D. BEDINGFIELD, Uvalde County; ERNEST E. CANTRELL, Dallas County; WILLIAM SPITZ, Harris County.

To be PECOS RIVER COMPACT COMMISSIONER: RUSSELL B. MCGOWEN, JR., Reeves County.

To be Members of the STATE BOARD OF REGISTRATION FOR PUBLIC SURVEYORS: C. B. THOMSON, Kimble County; JAMES O. BELCHER, Liberty County.

To be Members of the TEXAS JUDICIAL COUNCIL: ROSS E. DOUGHTY, JR., Uvalde County; MARTIN DIES, JR., Jefferson County; GRANT COOK, Harris County; BEN G. SEWELL, Harris County.

To be Members of the TEXAS PROSECUTORS COORDINATING COUNCIL: HOWARD C. DERRICK, Schleicher County; WILLIAM C. DONNELL, SR., Brewster County; JOE L. SCHOTT, Medina County.

To be Members of the STATE COMMISSION ON JUDICIAL CONDUCT: W. TRUETT SMITH, Tom Green County; MIKE MAROS, El Paso County; EDWARD D. COULSON, Harris County; WAYNE LeCROY, Lubbock County; WALTER E. JORDAN, Tarrant County.

To be Members of the METRIC SYSTEM ADVISORY COUNCIL: FRANCIS N. O'BRYAN, Harris County; DR. MARLIN BROCKETTE, Travis County; GLENN R. BROWN, Travis County; CHARLES E. FORESTER, Travis County; GEORGE G. LOWRANCE, Travis County; WALTER H. RICHTER, Travis County; ANTHONY CANGELOSI, SR., Bexar County; ALFRED M. BIEDENHARN, Bexar County; M. B. ETHEREDGE, Walker County; JAMES RALPH MEADOWS, Colorado County; MRS. SCOTT TOOTHAKER, Hidalgo County.

To be Members of the TEXAS WORK FURLOUGH PROGRAM ADVISORY BOARD: DEWEY L. UPSHAW, Harris County; NATHAN JAMES BELL IV, Lamar County; CHARLES M. BLEIL, Bowie County; RAYMOND SCOTT, Jefferson County; MARVIN M. MOORE, Harris County; FRANK "PANCHO" SEPULVEDA, Bexar County.

To be a Member of the BOARD OF REGENTS OF TEXAS STATE UNIVERSITY SYSTEM: PHILIP GARY WARNER, Harris County.

To be Members of the ADVISORY HOSPITAL COUNCIL: MISS ELIZABETH L. KIMMEL, Harris County; O. RAY HURST, Travis County; C. LINCOLN WILLISTON IV, Travis County; DAVID A. GARRETT, Bexar County.

To be Members of the VETERANS AFFAIRS COMMISSION: FATHER JAMES H. MURRAY, JR., Harris County; DAVID LEONARD STEIN, SR., Bexar County; ARTURO T. BENAVIDES, Webb County.

To be Members of the TEXAS CLOSEUP BOARD: MILTON STANLEY, Harris County; MRS. CARL B. COX, Dallas County; A. JACK SWENSON, Travis County; PHIL L. HUDDLESTON, Anderson County; ROBERT G. MEEHAN, Fort Bend County; OSCAR L. NEWTON, JR., Harris County; BILLY R. REAGAN, Harris County; J. GORDON ZUBER, Harris County.

To be Members of the BOARD OF EXAMINERS IN THE BASIC SCIENCES: DR. W. MAYNE LONGNECKER, Dallas County; DR. VIRGIL L. TWEEDIE, McLennan County.

To be a Member of the TEXAS STATE BOARD OF LANDSCAPE ARCHITECTS: ROBERT W. CALDWELL, SR., Dallas County.

To be a Member of the TEXAS STATE BOARD OF EXAMINERS IN SOCIAL PSYCHOTHERAPY: DR. JAMES LANE STRICKLIN, Dallas County.

To be Members of the COMMISSION ON UNIFORM STATE LAWS: EDMUND REYNOLDS WOOD, Dallas County; JAMES A. SHOWERS, Hill County; MILLARD RUUD, Travis County; ALVAN N. WELLS, JR., Bell County; STANLEY PLETTMAN, Jefferson County.

To be a Member of the BOARD OF REGENTS OF NORTH TEXAS STATE UNIVERSITY: EDWARD VANCE SMITH III, Dallas County.

To be Members of the BOARD OF REGENTS OF MIDWESTERN STATE UNIVERSITY: JERRY CRAFT, Jack County; WILLARD J. STILL, Bosque County; R. E. (GENE) CHAMBERS, Wichita County.

To be Members of the ADVISORY COUNCIL ON COMMUNITY AFFAIRS: CECIL W. WARD, Cooke County; RICHARD BROWN, Travis County; BILLY R. COWAN, Travis County; EDWIN B. DANIEL, Wichita County; SAM E. CLONTS, Williamson County; BERNIS W. SADLER, Jefferson County; CESAR GONZALEZ, Cameron County; JAMES J. McCONN, Harris County.

To be a Member of the COMMISSION ON LAW ENFORCEMENT STANDARDS AND EDUCATION: WALTER H. RANKIN, Harris County.

To be a Member of the VETERANS LAND BOARD: T. J. MASSINGILL, Harris County.

To be a Member of the STATE BOARD OF CANVASSERS: MRS. BLAKE SPARENBERG, Travis County.

To be a Member of the STATE DEPOSITORY BOARD: J. C. DINGWALL, Travis County.

To be Members of the STATE SEED AND PLANT BOARD: DONALD W. ATOR, Travis County; DR. DWANE MILLER, Lubbock County; DR. MORRIS E. BLOODWORTH, Brazos County; DOUGLAS CONLEE, McLennan County.

To be a Member of the TEXAS ENERGY ADVISORY COUNCIL: DR. MILTON L. HOLLOWAY, Travis County.

To be Members of the TEXAS COASTAL AND MARINE COUNCIL: FRANK H. SHEFFIELD, JR., Travis County; ROBERT L. MASSEY, Victoria County; PIKE POWERS, Jefferson County; DR. JOHN C. CALHOUN, JR., Brazos County.

To be Members of the TEXAS CIVIL AIR PATROL COMMISSION: FRANK T. COX, Travis County; C. A. WILKINS, Travis County; THE REV. JOHN F. ELLIOTT, Tarrant County.

To be Members of the BOARD OF REGENTS OF TEXAS STATE TECHNICAL INSTITUTE: CHARLES EDWARD WRIGHT, SR., Travis County; LANCE SEARS, Nolan County; WILLIAM M. STRECKERT, Brown County.

To be a Member of the COMMISSION ON ALCOHOLISM: ROBERT W. HARRELL, Travis County.

To be Members of the TEXAS COMMISSION ON SERVICES TO CHILDREN AND YOUTH: DR. THOMAS D. HORN, Travis County; MISS CAROLYN E. WATKINS, Bowie County; DELWIN J. LONG, SR., Harris County.

To be FIREMEN'S PENSION FUND COMMISSIONER: HAL H. HOOD, Travis County.

To be a Member of the STATE BOARD OF BARBER EXAMINERS: REMOLO JOE PICCIANDRA, Travis County.

To be Members of the BOARD OF EXAMINERS OF LICENSED STATE LAND SURVEYORS: R. C. WISDOM, Travis County; BYRON L. SIMPSON, Bexar County.

To be a Member of the STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS: DR. B. R. WALKER, Travis County.

To be a Member of the BOARD OF DIRECTORS OF RED RIVER AUTHORITY: ALVIN L. BARNES, Wichita County; MORRIS T. HIGLEY, Childress County; BILL HOLMAN, Clay County; WILLIAM H. SUMMERS, Grayson County.

To be Members of the TEXAS COSMETOLOGY COMMISSION: MRS. NETTIE JIM CARTER, Clay County; JAMES A. McMULLEN III, Tarrant County.

To be Members of the BOARD OF TAX ASSESSOR-EXAMINERS: NORMAN P. REGISTER, Dallas County; NICHOLAS V. LAMPSON, Jefferson County; BOBBY L. REED, Tarrant County; CARL S. SMITH, Harris County; MRS. VERLIE FAY NIETENHOEFER, Medina County.

To be a Member of the TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS: MISS DORIS ELAINE PORTER, Dallas County.

To be a Member of the UPPER NECHES RIVER MUNICIPAL WATER AUTHORITY: WRIGHT MATTHEWS, Anderson County.

To be a Member of the BOARD OF DIRECTORS OF THE ANGELINA AND NECHES RIVER AUTHORITY: DR. WARNER A. DUNN, Nacogdoches County; EARL NISBET, Angelina County; W. A. TURNER, Houston County.

To be Members of the BOARD OF TRUSTEES OF THE FIRE FIGHTERS' RELIEF AND RETIREMENT FUND: ROSCOE C. GIBSON, Angelina County; BOBBY JOE LOONEY, Tarrant County; W. HAROLD BRODT, Bexar County; ELBERT E. SANDERS, Hidalgo County; J. J. PRUITT, Harris County.

To be Members of the TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS: GARLAND ANTHONY PICO, Angelina County; MISS DORIS RUTH WOOD, Tarrant County.

To be Members of the STATE BOARD OF PHARMACY: HOMER A. LAMEY, Bexar County; W. HAROLD PIERATT, JR., Lee County.

To be Members of the TEXAS TOURIST DEVELOPMENT BOARD: HOWARD ANTHONY BRIDGE, JR., Harrison County; TOM F. HERRING, SR., Webb County; RUPERT C. RICHARDS, JR., Hidalgo County.

To be Members of the BOARD OF DIRECTORS OF LAVACA COUNTY FLOOD CONTROL DISTRICT NUMBER THREE: JULIUS BUCEK, Lavaca County; LEON LOUIS KAHANEK, JR., Lavaca County; JEROME I. KOCIAN, Lavaca County; ALFRED NEUMEYER, JR., Lavaca County.

To be a Member of the STATE BOARD OF POLYGRAPH EXAMINERS: WILLIAM J. TAYLOR, Williamson County.

To be Members of the TEACHERS PROFESSIONAL PRACTICES COMMISSION: ROBERT D. McMINN, Bell County; MRS. REBA SOMMERVILLE, Tarrant County; BRUCE TANSILL AIKEN, Cameron County.

To be a Member of the BOARD OF DIRECTORS OF THE COASTAL INDUSTRIAL WATER AUTHORITY: BUSTER E. FRENCH, Liberty County.

To be Members of the TEXAS LIBRARY AND HISTORICAL COMMISSION: CHILTON O'BRIEN, Jefferson County; C. STANLEY BANKS, SR., Bexar County.

To be Members of the BOARD OF REGENTS OF LAMAR UNIVERSITY: LLOYD L. HAYES, Jefferson County; TOM MAES, Jefferson County; A. H. MONTAGNE, Orange County.

To be Members of the BOARD OF REGENTS OF TEXAS WOMAN'S UNIVERSITY: JOHN S. SHIVERS, Tarrant County; MRS. A. SAM WALDROP, Taylor County.

To be a Member of the AMUSEMENT MACHINE COMMISSION: GLYN OLIVER LEDFORD, Harris County.

To be Members of the BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF SOUTH TEXAS: WILLIAM H. BAKER, Webb County; HENRY W. FINCK, Bexar County.

To be a Member of the TEXAS STATE BOARD OF PODIATRY EXAMINERS: DR. JERRY W. PATTERSON, Bexar County.

To be a Member of the SAN JACINTO HISTORICAL ADVISORY BOARD: MRS. ANN PAULUS SMITH, Walker County.

To be a Member of the TEXAS HISTORICAL COMMISSION: BARNEY M. DAVIS, SR., Burleson County.

To be a Member of the BOARD OF REGENTS OF STEPHEN F. AUSTIN STATE UNIVERSITY: R. E. SAMUEL, JR., Madison County.

To be Members of the RIO GRANDE VALLEY MUNICIPAL WATER AUTHORITY: WILLIAM F. POWELL, JR., Hidalgo County; PAUL G. VEALE, SR., Hidalgo County.

To be Members of the BOARD OF REGENTS OF PAN AMERICAN UNIVERSITY: MRS. ANN LA MANTIA, Hidalgo County; MOISES V. VELA, SR., Cameron County.

To be Members of the FAMILY PRACTICE RESIDENCY BOARD: JACK ALLEN WHETSEL, Hidalgo County; JACK MILLER, San Saba.

To be a Member of the BOARD OF REGENTS OF WEST TEXAS STATE UNIVERSITY: DEE S. OSBORNE, Harris County.

To be a Member of the GULF COAST WASTE DISPOSAL AUTHORITY: WILLIAM THOMAS ARNOLD, Harris County.

To be a Member of the TEXAS COSMETOLOGY COMMISSION: WILMER DEE COX, Gregg County.

To be Members of the TEXAS COLLEGE AND UNIVERSITY SYSTEM COORDINATING BOARD: CHARLES C. BUTT, Nueces County; ROBERT H. PARK, Harris County; WAYNE E. THOMAS, Deaf Smith County; NED WADE, JR., Harris County; M. HARVEY WEIL, Nueces County; MARSHAL FORMBY, Hale County.

To be Members of the TEXAS WATER COMMISSION: JOE R. CARROLL, Scurry County; JOE D. CARTER, Grayson County.

To be a Member of the ALCOHOLIC BEVERAGE COMMISSION: MORRIS ATLAS, Hidalgo County.

To be a Member of the TEXAS WATER DEVELOPMENT BOARD: GLEN E. RONEY, Hidalgo County.

To be Members of the STATE BOARD OF CHIROPRACTIC EXAMINERS: DR. RICHARD BRASSARD, Jefferson County; DR. JAY PERRETEN, Harris County.

To be a Member of the INDUSTRIAL ACCIDENT BOARD: BOBBY J. BARNES, Harris County.

To be a Member of the TEXAS COLLEGE AND UNIVERSITY SYSTEM COORDINATING BOARD: NEWTON GRESHAM, Harris County.

To be a Member of the PUBLIC UTILITY COMMISSION: GEORGE M. COWDEN, Dallas County.

To be Members of the GOVERNOR'S COMMITTEE ON AGING: MRS. ESTELLA L. TREVINO, Hidalgo County; MS. GEORGIA McKINNEY, Bexar County.

To be a Member of the STATE BOARD OF CHIROPRACTIC EXAMINERS: DR. STERLING H. PRUITT, SR., Tarrant County.

To be a Member of the PARKS AND WILDLIFE COMMISSION: PERRY R. BASS, Tarrant County.

To be a Member of the TEXAS TURNPIKE AUTHORITY: WALTER MISCHER, JR., Harris County.

To be a Member of the BOARD OF REGENTS OF THE UNIVERSITY OF HOUSTON: DR. J. DAVIS ARMISTEAD, Lubbock County.

To be a Member of the TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS: CHARLES LOWELL SLATON, Hardeman County.

To be a Member of the TEXAS DEPARTMENT OF LABOR AND STANDARDS: G. L. "LYNN" TATE, Nueces County.

To be Members of the GOOD NEIGHBOR COMMISSION: JOSE ALVARADO, JR., Nueces County; MRS. W. LANE RIVERS, Harris County.

To be JUDGE OF THE 243RD JUDICIAL DISTRICT: WOODROW W. BEAN II, El Paso County.

To be JUDGE OF THE 327TH JUDICIAL DISTRICT: ENRIQUE H. PENA, El Paso County.

To be CRIMINAL DISTRICT ATTORNEY FOR UPSHUR COUNTY: NED C. BUTLER, Upshur County.

To be JUDGE OF THE 321st JUDICIAL DISTRICT: HAROLD CLAPP, Smith County.

To be CRIMINAL DISTRICT ATTORNEY FOR VAN ZANDT COUNTY: RICHARD DEWEY DAVIS, Van Zandt County.

To be JUDGE OF THE 307TH JUDICIAL DISTRICT: WILLIAM C. MARTIN III, Gregg County.

To be DISTRICT ATTORNEY FOR THE 36th JUDICIAL DISTRICT: THOMAS LEE BRIDGES, San Patricio County.

To be JUDGE OF THE 319TH JUDICIAL DISTRICT: HAROLD THOMAS, Nueces County.

To be JUDGE OF THE 318TH JUDICIAL DISTRICT: BARBARA G. CULVER, Midland County.

To be DISTRICT ATTORNEY FOR THE 198th JUDICIAL DISTRICT: RONALD L. SUTTON, Kimble County.

To be JUDGE OF THE 112th JUDICIAL DISTRICT: TROY DAVIS WILLIAMS, Crockett County.

To be JUDGE OF THE 311th JUDICIAL DISTRICT: BILL ELLIOTT, Harris County.

To be JUDGE OF THE 246th JUDICIAL DISTRICT: JOHN W. PEAVY, JR., Harris County.

To be PRESIDING JUDGE, 1st ADMINISTRATIVE JUDICIAL DISTRICT: PAUL G. PEURIFOY, Dallas County.

To be JUDGE OF THE 322nd JUDICIAL DISTRICT: EVA G. BARNES, Tarrant County.

To be JUDGE OF THE 323rd JUDICIAL DISTRICT: SCOTT MOORE.

To be JUDGE OF THE 249th JUDICIAL DISTRICT: CHARLES C. "KIT" COOKE III, Johnson County.

To be JUDGE OF THE 250th JUDICIAL DISTRICT: HARLEY R. CLARK, JR., Travis County.

To be JUDGE OF THE 261st JUDICIAL DISTRICT: PETER M. LOWRY, Travis County.

To be JUDGE OF THE COURT OF CRIMINAL APPEALS: JIM VOLLERS, Travis County.

To be JUDGE OF THE 259th JUDICIAL DISTRICT: H. G. (PETE) ANDREWS, Jones County.

To be DISTRICT ATTORNEY FOR THE 259TH JUDICIAL DISTRICT: QUAY F. PARKER, Shackelford County.

To be JUDGE OF THE 242nd JUDICIAL DISTRICT: VAN CLIFTON STOVALL, Hale County.

To be JUDGE OF THE 244th JUDICIAL DISTRICT: JOSEPH CONNALLY, Ector County.

To be ASSOCIATE JUSTICE OF THE COURT OF CIVIL APPEALS, SEVENTH SUPREME JUDICIAL DISTRICT: CARLTON B. DODSON, Lubbock County.

To be JUDGE OF THE 134TH JUDICIAL DISTRICT: JOE BURNETT, Dallas County.

To be JUDGE OF THE 302ND JUDICIAL DISTRICT: GREER DOWELL, Dallas County.

To be JUDGE OF THE 255TH JUDICIAL DISTRICT: DONALD D. KOONS, Dallas County.

To be JUDGE OF THE 304TH JUDICIAL DISTRICT: CRAIG PENFOLD, Dallas County.

To be JUDGE OF THE A-1 JUDICIAL DISTRICT: MONTE DAN LAWLIS, Jasper County.

To be CHIEF JUSTICE, COURT OF CIVIL APPEALS, 4TH SUPREME JUDICIAL DISTRICT: CARLOS C. CADENA, Bexar County.

To be CHIEF JUSTICE, COURT OF CIVIL APPEALS, 6TH SUPREME JUDICIAL DISTRICT: WILLIAM J. CORNELIUS, Marion County.

To be ASSOCIATE JUSTICE, COURT OF CIVIL APPEALS, 6TH SUPREME JUDICIAL DISTRICT: STEPHEN ODEN, Bowie County.

To be JUDGE OF THE COUNTY COURT AT LAW NUMBER TWO: LLOYD W. PERKINS, Grayson County.

To be ASSOCIATE JUSTICE, COURT OF CIVIL APPEALS, 9TH SUPREME JUDICIAL DISTRICT: HAROLD R. CLAYTON, Jefferson County.

To be JUDGE OF THE 260TH JUDICIAL DISTRICT: DONNIE R. BURGESS, Orange County.

To be JUDGE OF THE 317th JUDICIAL DISTRICT: JAMES M. FARRIS, Jefferson County.

To be JUDGE OF THE 252nd JUDICIAL DISTRICT: LEONARD J. GIBLIN, JR., Jefferson County.

To be JUDGE OF THE 136th JUDICIAL DISTRICT: JACK R. KING, Jefferson County.

To be JUDGE OF THE 253rd JUDICIAL DISTRICT: W. G. WOODS, JR., Liberty County.

To be CRIMINAL DISTRICT ATTORNEY FOR JEFFERSON COUNTY: JAMES S. McGRATH, Jefferson County.

To be DISTRICT ATTORNEY FOR THE 75th JUDICIAL DISTRICT: CARROLL E. WILBORN, JR., Chambers County.

To be JUDGE OF THE 317th JUDICIAL DISTRICT: ETHERIDGE R. WRIGHT, Jefferson County.

To be JUDGE OF THE 324th JUDICIAL DISTRICT: JOE H. EIDSON, JR., Tarrant County.

To be PRESIDING JUDGE OF THE 8th ADMINISTRATIVE JUDICIAL DISTRICT: CHARLES J. MURRAY, Tarrant County.

To be JUDGE OF THE 325th JUDICIAL DISTRICT: ROBERT L. WRIGHT, Tarrant County.

To be JUDGE OF THE 328th JUDICIAL DISTRICT: SIDNEY J. BROWN, Ft. Bend County.

To be JUDGE OF THE 312th JUDICIAL DISTRICT: FELIX SALAZAR, JR., Harris County.

To be JUDGE OF THE 245TH JUDICIAL DISTRICT: HENRY G. SCHUBLE, Harris County.

To be JUDGE OF THE 111TH JUDICIAL DISTRICT: LAZARO GARZA-GONGORA, JR., Webb County.

To be JUDGE OF THE 45TH JUDICIAL DISTRICT: CAROL R. HABERMAN, Bexar County.

To be ASSOCIATE JUSTICE, COURT OF CIVIL APPEALS, 4TH SUPREME JUDICIAL DISTRICT: ROBERT R. MURRAY, Bexar County.

To be JUDGE OF THE 9TH JUDICIAL DISTRICT: LYNN JAY COKER, Montgomery County.

To be JUDGE OF THE COURT OF CRIMINAL APPEALS: WILBUR C. DAVIS, Brazos County.

To be JUDGE OF THE 258TH JUDICIAL DISTRICT: JOE NED DEAN, Trinity County.

To be JUDGE OF THE 85TH JUDICIAL DISTRICT: W. T. McDONALD, JR., Brazos County.

To be CRIMINAL DISTRICT ATTORNEY FOR WALKER COUNTY: ERWIN G. ERNST, Walker County.

To be DISTRICT ATTORNEY FOR THE 258TH JUDICIAL DISTRICT: JOE L. PRICE, Trinity County.

To be JUDGE OF THE 329TH JUDICIAL DISTRICT: LLOYD G. RUST, JR., Wharton County.

To be DISTRICT ATTORNEY FOR THE 85TH JUDICIAL DISTRICT: ROLAND M. SEARCY, JR., Brazos County.

To be ASSOCIATE JUSTICE, COURT OF CIVIL APPEALS, 11TH SUPREME JUDICIAL DISTRICT: BRYAN BRADBURY, Taylor County.

To be JUDGE OF THE 198TH JUDICIAL DISTRICT: V. MURRAY JORDAN, McCulloch County.

To be JUDGE OF THE 326TH JUDICIAL DISTRICT: HENRY J. STRAUSS, Taylor County.

To be JUDGE OF THE 174TH JUDICIAL DISTRICT: JON NELSON HUGHES, Harris County.

To be JUDGE OF THE 248TH JUDICIAL DISTRICT: JIMMY JAMES, Harris County.

To be JUDGE OF THE 309TH JUDICIAL DISTRICT: HERMAN MEAD, Harris County.

To be JUDGE OF THE 262ND JUDICIAL DISTRICT: SAMUEL H. ROBERTSON, JR., Harris County.

To be JUDGE OF THE 247TH JUDICIAL DISTRICT: BRUCE W. WETTMAN, Harris County.

To be JUDGE OF THE 315TH JUDICIAL DISTRICT: CRISS COLE, Harris County.

To be JUDGE OF THE 310TH JUDICIAL DISTRICT: ALLEN DAGGETT, Harris County.

To be JUDGE OF THE 257TH JUDICIAL DISTRICT: SAM S. EMISON, JR., Harris County.

To be JUDGE OF THE 313TH JUDICIAL DISTRICT: ROBERT L. LOWRY, Harris County.

To be JUDGE OF THE 152ND JUDICIAL DISTRICT: RICHARD WESLEY MILLARD, Harris County.

To be JUDGE OF THE 314TH JUDICIAL DISTRICT: WALLACE H. MILLER, Harris County.

To be JUDGE OF THE 308TH JUDICIAL DISTRICT: WELLS STEWART, Harris County.

To be a Member of the BOARD OF REGENTS OF THE UNIVERSITY OF HOUSTON: ROBERT L. GRAINGER (deceased), Harris County.

To be a Member of the INDUSTRIAL ACCIDENT BOARD: JIM J. McCUAN (deceased), Travis County.

To be a Member of the TEXAS REHABILITATION COMMISSION: JOHN THOMAS BEAN (deceased), Tarrant County.

To be a Member of the TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS: RAYMON Q. THOMPSON, Young County.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Schwartz submitted the following report for the Committee on Jurisprudence:

C.S.S.B. 9 (Read first time)

MOTION TO NOT PRINT COMMITTEE SUBSTITUTE SENATE BILL 9

Senator Jones of Taylor moved that C.S.S.B. 9 be not printed.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present): Yeas 16, Nays 14.

Yeas: Aikin, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Ogg, Parker, Santiesteban, Schwartz, Truan.

Nays: Andujar, Blake, Creighton, Harris, Kothmann, Lombardino, Meier, Mengden, Moore, Patman, Price, Snelson, Traeger, Williams.

Absent-excused: McKnight.

SENATE CONCURRENT RESOLUTION 7 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S.C.R. 7, Designating The University of Texas System and The Texas A & M System to participate jointly in the mining and mineral resources research institute program authorized by the Surface Mining Control and Reclamation Act of 1977.

The resolution was read second time and was adopted.

COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 14 ON SECOND READING

On motion of Senator Aikin and by unanimous consent, all necessary rules and Senate Rule 74 were suspended to take up for consideration at this time:

C.S.S.J.R. 14, Proposing a constitutional amendment relating to ad valorem taxation of agricultural property, exemptions of certain property from taxation, and conditions for increases in total property tax revenues.

The resolution was read second time.

Senator Parker offered the following amendment to the resolution:

Amend the Committee Substitute for Senate Joint Resolution 14 as follows:

SECTION 1. Sec. 1 Begin with: The Legislature by general law may exempt the personal property homestead of a family or single adult, 'personal property homestead' meaning that personal property exempt by law from forced sale for debt, from ad valorem taxation.

The amendment was read.

On motion of Senator Parker and by unanimous consent, the amendment was temporarily withdrawn.

Senator Doggett offered the following amendment to the resolution:

Amend **C.S.S.J.R. 14** by striking all of Section 2 and substituting the following:

Section 2. That Article VIII of the Texas Constitution be amended by adding Section 1-d-1 to read as follows:

Sec. 1-d-1. (a) The legislature shall provide by law for taxation of real property devoted to farming or ranching on the basis of its value for farm or ranch purposes if the property is owned by one or more individuals, by a trust or estate that benefits individuals exclusively, or by an eligible domestic corporation, partnership, or limited partnership.

(b) A domestic corporation, partnership, or limited partnership is eligible if:

(1) the number of shareholders or participants does not exceed 10 or, if there are more than 10 shareholders or participants, each is related to all others within the third degree of consanguinity or the second degree of affinity;

(2) each shareholder or participant is an individual or an estate or trust that benefits individuals exclusively; and

(3) the corporation's or partnership's total revenues from rents, royalties, dividends, interest, annuities, and proceeds from sales of real property in any fiscal year do not exceed 20 percent of its total revenues in that year.

(c) If a property owner qualifies his land for designation for agricultural use under Section 1-d of this article, the land is subject to the provisions of Section 1-d for the year in which the designation is effective and is not subject to a law enacted under this Section 1-d-1 in that year.

DOGGETT
MAUZY
TRUAN

The amendment was read.

On motion of Senator Aikin, the amendment was tabled by the following vote:
Yeas 15, Nays 14.

Yeas: Aikin, Andujar, Brooks, Creighton, Hance, Harris, Jones of Taylor, Kothmann, Meier, Moore, Ogg, Parker, Price, Santiesteban, Williams.

Nays: Blake, Braecklein, Clower, Doggett, Farabee, Jones of Harris, Lombardino, Longoria, Mauzy, Mengden, Patman, Snelson, Traeger, Truan.

Present-Not Voting: Schwartz.

Absent-excused: McKnight.

Senator Parker offered the following amendment to the resolution:

Amend the Committee Substitute for Senate Joint Resolution 14 as follows:

SECTION 1. Add at line 28 Section 1 after the word "income" and the personal property homestead of a family or single adult, 'personal property homestead' meaning that personal property exempt by law from forced sale for debt, from ad valorem taxation.

The amendment was read.

Senator Aikin moved to table the amendment.

The motion was lost by the following vote: Yeas 13, Nays 17.

Yeas: Aikin, Andujar, Blake, Creighton, Doggett, Farabee, Harris, Jones of Taylor, Lombardino, Longoria, Moore, Snelson, Traeger.

Nays: Braecklein, Brooks, Clower, Hance, Jones of Harris, Kothmann, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Truan, Williams.

Absent-excused: McKnight.

The amendment was then adopted.

Senator Schwartz offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 2 and substituting the following:

Section 2. That Article VIII of the Texas Constitution be amended by adding Section 1-d-1 to read as follows:

Sec. 1-d-1. (a) The legislature shall provide by law for taxation of real property devoted to farming or ranching on the basis of its value for farm or ranch purposes if the property is owned by one or more individuals, by a trust or estate that benefits individuals exclusively, or by an eligible domestic corporation, partnership, or limited partnership.

(b) A domestic corporation, partnership, or limited partnership is eligible if:

(1) the number of shareholders or participants does not exceed 10 or, if there are more than 10 shareholders or participants, each is related to all others within the third degree of consanguinity or the second degree of affinity;

(2) each shareholder or participant is an individual or an estate or trust that benefits individuals exclusively; and

(c) If a property owner qualifies his land for designation for agricultural use under Section 1-d of this article, the land is subject to the provisions of Section 1-d for the year in which the designation is effective and is not subject to a law enacted under this Section 1-d-1 in that year.

SCHWARTZ
MAUZY
DOGETT
TRUAN

The amendment was read.

Senator Brooks raised the Point of Order that the amendment was substantially identical to one previously offered to the resolution at the same stage of consideration.

The President overruled the Point of Order.

On motion of Senator Creighton the amendment was tabled by the following vote: Yeas 16, Nays 14.

Yeas: Aikin, Andujar, Brooks, Creighton, Hance, Harris, Jones of Taylor, Kothmann, Meier, Moore, Ogg, Parker, Price, Santiesteban, Traeger, Williams.

Nays: Blake, Braecklein, Clower, Doggett, Farabee, Jones of Harris, Lombardino, Longoria, Mauzy, Mengden, Patman, Schwartz, Snelson, Truan.

Absent-excused: McKnight.

Senator Parker offered the following amendment to the resolution:

Amend the Committee Substitute for Senate Joint Resolution 14 as follows:

SECTION 3. (b) Strike from section (b) from beginning of section through words: levied by political subdivision, and substitute the following:

(b) The first Ten Thousand Dollars (\$10,000) ~~[From and after January 1, 1973 the governing body of any county, city, town, school district, or other political subdivision of the State may exempt by its own action not less than Three Thousand Dollars (\$3,000)]~~ of the assessed value of residence homesteads of married or

unmarried persons, including those living alone, who are under a disability for purposes of payment of disability insurance benefits under Federal Old-Age, Survivors, and Disability Insurance or its successor or of married or unmarried persons sixty-five (65) years of age or older, is exempt from all ad valorem taxes thereafter levied by the political subdivision. The governing body of a political subdivision, by its own action, may increase the amount of the exemption from its taxes.

SECTION 3. (d) Remove: Subsection (c) and add: Subsections (b) or (c) of this section.

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 17, Nays 12, Paired Vote 1.

Yeas: Aikin, Andujar, Blake, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Taylor, Longoria, Moore, Price, Santiesteban, Schwartz, Snelson, Traeger.

Nays: Clower, Jones of Harris, Kothmann, Lombardino, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Truan, Williams.

PAIRED VOTE

Senator Hance (present), who would vote "Nay", with Senator McKnight (absent), who would vote "Yea".

Senator Mengden offered the following amendment to the resolution:

Amend **C.S.S.J.R. 14** by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless approved by a majority of the qualified voters of the political subdivision voting on the question. A referendum on a proposed increase in the appraised valuation of property may establish a maximum percentage increase that may be applied during a specified time period or may permit unlimited increases for a specified period of time. The limitation provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.

(b) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 20, Nays 9.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate or the assessment ratio or increase by more than 5 percent per year the appraised valuation of any property existing on the effective date of this section, unless approved by a majority of the qualified voters of the political subdivision voting on the question. A referendum on a proposed increase in the appraised valuation of property may establish a maximum percentage increase that may be applied during a specified time period or may permit unlimited increases for a specified period of time. The limitation provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.

(b) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

MENGDEN
HANCE

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 20, Nays 9.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Moore, Parker, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger.

Present-Not Voting: Ogg.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

“SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate or the assessment ratio or increase by more than 10 percent per year the appraised valuation of any property existing on the effective date of this section, unless approved by a majority of the qualified voters of the political subdivision voting on the question. A referendum on a proposed increase in the appraised valuation of property may establish a maximum percentage increase that may be applied during a specified time period or may permit unlimited increases for a specified period of time. The limitation provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.

(b) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section.”

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 20, Nays 9.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

“SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

“Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section,

unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase.

(b) The qualified voters of a political subdivision may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation or property within the political subdivision that has been increased by the governing body of that subdivision. To be valid, a petition must be signed by at least 20,000 qualified voters within the political subdivision or at least 10 percent of the number of qualified voters within the subdivision, whichever number is less, and be submitted to the governing body of that subdivision on or before the 60th day after the date on which the governing body had approved the increase. Upon presentation to the governing body, a determination of its validity must be made by an official resolution within 10 days. If the petition is found to be valid, the governing body shall order a binding referendum to be held on the question within 90 days. At the referendum, the ballot proposition shall be descriptive but not argumentative or prejudicial. If a majority of the qualified voters of the political subdivision voting on the question approve the proposition, the increases that were approved by the governing body shall be null and void. The referendum procedure provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements. The legislature may enact laws to facilitate the provisions of this section.

(c) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 18, Nays 11.

Yeas: Aikin, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Williams.

Nays: Andujar, Blake, Clower, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger, Truan.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised

valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase.

(b) The qualified voters of a political subdivision may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation or property within the political subdivision that has been increased by the governing body of that subdivision. To be valid, a petition must be signed by at least 30,000 qualified voters within the political subdivision or at least 20 percent of the number of qualified voters within the subdivision, whichever number is less, and be submitted to the governing body of that subdivision on or before the 45th day after the date on which the governing body had approved the increase. Upon presentation to the governing body, a determination of its validity must be made by an official resolution within 10 days. If the petition is found to be valid, the governing body shall order a binding referendum to be held on the question within 90 days. At the referendum, the ballot proposition shall be descriptive but not argumentative or prejudicial. If a majority of the qualified voters of the political subdivision voting on the question approve the proposition, the increases that were approved by the governing body shall be null and void. The referendum procedure provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements. The legislature may enact laws to facilitate the provisions of this section.

(c) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 18, Nays 11.

Yeas: Aikin, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Williams.

Nays: Andujar, Blake, Clower, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger, Truan.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase.

(b) The qualified voters of a political subdivision may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation of property within the political subdivision that has been increased by the governing body of that subdivision. To be valid, a petition must be signed by at least 40,000 qualified voters within the political subdivision or at least 30 percent of the number of qualified voters within the subdivision, whichever number is less, and be submitted to the governing body of that subdivision on or before the 45th day after the date on which the governing body had approved the increase. Upon presentation to the governing body, a determination of its validity must be made by an official resolution within 10 days. If the petition is found to be valid, the governing body shall order a binding referendum to be held on the question within 90 days. At the referendum, the ballot proposition shall be descriptive but not argumentative or prejudicial. If a majority of the qualified voters of the political subdivision voting on the question approve the proposition, the increases that were approved by the governing body shall be null and void. The referendum procedure provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements. The legislature may enact laws to facilitate the provisions of this section.

(c) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 19, Nays 10.

Yeas: Aikin, Blake, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Williams.

Nays: Andujar, Clower, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger, Truan.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase.

(b) The qualified voters of a political subdivision may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation of property within the political subdivision that has been increased by the governing body of that subdivision. To be valid, a petition must be signed by at least 50,000 qualified voters within the political subdivision or at least 40 percent of the number of qualified voters within the subdivision, whichever number is less, and be submitted to the governing body of that subdivision on or before the 45th day after the date on which the governing body had approved the increase. Upon presentation to the governing body, a determination of its validity must be made by an official resolution within 10 days. If the petition is found to be valid, the governing body shall order a binding referendum to be held on the question within 90 days. At the referendum, the ballot proposition shall be descriptive but not argumentative or prejudicial. If a majority of the qualified voters of the political subdivision voting on the question approve the proposition, the increases that were approved by the governing body shall be null and void. The referendum procedure provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements. The legislature may enact laws to facilitate the provisions of this section.

(c) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 18, Nays 11.

Yeas: Aikin, Blake, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Snelson, Williams.

Nays: Andujar, Clower, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Schwartz, Traeger, Truan.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase.

(b) The qualified voters of a political subdivision may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation of property within the political subdivision that has been increased by the governing body of that subdivision. To be valid, a petition must be signed by at least 75,000 qualified voters within the political subdivision or at least 50 percent of the number of qualified voters within the subdivision, whichever number is less, and be submitted to the governing body of that subdivision on or before the 30th day after the date on which the governing body had approved the increase. Upon presentation to the governing body, a determination of its validity must be made by an official resolution within 10 days. If the petition is found to be valid, the governing body shall order a binding referendum to be held on the question within 90 days. At the referendum, the ballot proposition shall be descriptive but not argumentative or prejudicial. If a majority of the qualified voters of the political subdivision voting on the question approve the proposition, the increases that were approved by the governing body shall be null and void. The referendum procedure provided for in this section does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements. The legislature may enact laws to facilitate the provisions of this section.

(c) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 18, Nays 11.

Yeas: Aikin, Blake, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Truan, Williams.

Nays: Andujar, Clower, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Schwartz, Snelson, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

“SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase.

(b) The qualified voters of a political subdivision may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation of property within the political subdivision that has been increased by the governing body of that subdivision. The legislature shall prescribe by law the requirements and procedures under which the referendums are to be conducted.”

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 16, Nays 13.

Yeas: Aikin, Braecklein, Brooks, Creighton, Doggett, Farabee, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Snelson, Williams.

Nays: Andujar, Blake, Clower, Hance, Harris, Kothmann, Lombardino, Mengden, Patman, Price, Schwartz, Traeger, Truan.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend **C.S.S.J.R. 14** by adding the following new subsection (c) to Section 4:

“(c) The legislature by general law shall establish a method by which the electorate of each political subdivision of the state may require by petition that a binding referendum be held to determine whether or not to reduce the tax rate, the assessment ratio, or the appraised valuation of property within the political subdivision that has been increased by the governing body of that subdivision.”

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 18, Nays 11.

Yeas: Aikin, Braecklein, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Brooks, Clower, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase, has held a public hearing on the proposed increase, and approves the proposed increase by a record 2/3rd majority vote of its membership. The requirement for a record 2/3rd majority vote of the membership of the governing body does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.

(b) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 18, Nays 11.

Yeas: Aikin, Braecklein, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Parker, Patman, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Brooks, Clower, Hance, Kothmann, Lombardino, Mengden, Ogg, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase. The governing body may not adopt any increase that would increase the total amount of taxes collected by the political subdivision in the following year by more than 5 percent of

the total amount of taxes collected in the preceding year unless the increase is approved by a record 2/3rd majority vote of its membership. The requirement for a record 2/3rd majority vote of the membership of the governing body does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.

(b) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 19, Nays 10.

Yeas: Aikin, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Parker, Patman, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Clower, Hance, Kothmann, Lombardino, Mengden, Ogg, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend **C.S.S.J.R. 14** by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase. The governing body may not adopt any increase that would increase the total amount of taxes collected by the political subdivision in the following year by more than 10 percent of the total amount of taxes collected in the preceding year unless the increase is approved by a record 2/3rd majority vote of its membership. The requirement for a record 2/3rd majority vote of the membership of the governing body does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.

(b) It is a goal of the state to pay the costs of any major new programs which it mandates the political subdivision of the state to perform. The legislature may appropriate state funds to a political subdivision for re-imbursement for the necessary increased costs of performing any new activity or service or increasing the

level of any present activity or service that is required of a political subdivision by law after the effective date of this section."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 19, Nays 10.

Yeas: Aikin, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Parker, Patman, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Clower, Hance, Kothmann, Lombardino, Mengden, Ogg, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

"SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase, has held a public hearing on the proposed increase, and approves the proposed increase by a record majority vote of its membership. The requirement for a record majority vote of the membership of the governing body does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 15, Nays 14.

Yeas: Aikin, Braecklein, Clower, Creighton, Doggett, Farabee, Jones of Taylor, Longoria, Mauzy, Meier, Parker, Santiesteban, Schwartz, Snelson, Truan.

Nays: Andujar, Blake, Brooks, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Mengden, Ogg, Patman, Price, Traeger, Williams.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

“SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase. The governing body may not adopt any increase that would increase the total amount of taxes collected by the political subdivision in the following year by more than 5 percent of the total amount of taxes collected in the preceding year unless the increase is approved by a record majority vote of its membership. The requirement for a record majority vote of the membership of the governing body does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation of real property that has an increased value because of newly constructed improvements.”

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote: Yeas 20, Nays 9.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Blake, Hance, Kothmann, Lombardino, Mengden, Patman, Price, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Mengden offered the following amendment to the resolution:

Amend C.S.S.J.R. 14 by striking all of Section 4 and substituting the following in lieu thereof:

“SECTION 4. That Article VIII of the Texas Constitution be amended by adding Section 21 to read as follows:

Sec. 21. (a) No political subdivision of the state that levies ad valorem taxes may hereafter increase either the tax rate, the assessment ratio, or the appraised valuation of any property existing on the effective date of this section, unless the governing body of the political subdivision has given adequate notice of the proposed increase and has held a public hearing on the proposed increase. The governing body may not adopt any increase that would increase the total amount of taxes collected by the political subdivision in the following year by more than 10 percent of the total amount of taxes collected in the preceding year unless the increase is approved by a record majority vote of its membership. The requirement for a record majority vote of the membership of the governing body does not apply to ad valorem taxes to pay the principal and interest on any indebtedness approved by the voters prior to the time this section becomes effective, nor to the appraised valuation

of real property that has an increased value because of newly constructed improvements."

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 16, Nays 13.

Yeas: Aikin, Braecklein, Brooks, Creighton, Farabee, Harris, Jones of Harris, Jones of Taylor, Longoria, Mauzy, Meier, Parker, Santiesteban, Snelson, Truan, Williams.

Nays: Andujar, Blake, Clower, Doggett, Hance, Kothmann, Lombardino, Mengden, Ogg, Patman, Price, Schwartz, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

Senator Price offered the following amendment to the resolution:

Amend S.J.R. No. 14 by renumbering Sections 5 and 6 as Sections 6 and 7 and adding Section 5 to read as follows:

SECTION 5. That Article VIII of the Texas Constitution be amended by adding Section 19-a to read as follows:

Sec. 19-a. Agricultural livestock in the hands of the producer is exempt from ad valorem taxation.

The amendment was read.

On motion of Senator Aikin the amendment was tabled by the following vote:
Yeas 17, Nays 12.

Yeas: Aikin, Blake, Braecklein, Brooks, Doggett, Farabee, Jones of Harris, Jones of Taylor, Lombardino, Longoria, Mauzy, Ogg, Parker, Santiesteban, Schwartz, Truan, Williams.

Nays: Andujar, Clower, Creighton, Hance, Harris, Kothmann, Meier, Mengden, Patman, Price, Snelson, Traeger.

Present-Not Voting: Moore.

Absent-excused: McKnight.

On motion of Senator Aikin and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was then passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 14 ON
THIRD READING**

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.J.R. 14** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Present-Not Voting: Moore.

Absent-excused: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote: Yeas 29, Nays 0.

Present-Not Voting: Moore.

Absent-excused: McKnight.

REASON FOR VOTE

I voted for SJR 14 only because it provided a possibility of some tax relief in the future, to be provided by law in some future legislative session. However, it does absolutely nothing to provide any form of tax limitation or control by the people of their taxes. Even the requirements in this legislation for public notice and public meetings before a tax increase may be passed provides for exceptions and loopholes.

SJR 14 is so weak that it does not even qualify as being cosmetic. It is better than nothing, although just barely.

It does not, in any meaningful way, address the problems of constantly increasing taxes at all levels of government, especially local property taxes. For the Legislature to pass this measure and adjourn without doing much, much more to solve this problem would be a tremendous tragedy.

MENGDEN

SENATE RULE 103 SUSPENDED

On motion of Senator Jones of Harris and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Administration might meet today at 1:45 o'clock p.m. in order to consider the following bill and resolutions:

S.C.R. 6

S.B. 18

H.C.R. 3

H.C.R. 4

SENATE RULE 103 SUSPENDED

On motion of Senator Aikin and by unanimous consent Senate Rule 103 was suspended in order that the Committee on Finance might consider **S.B. 17** today.

RECESS

On motion of Senator Aikin the Senate at 12:53 o'clock p.m. took recess until 2:00 o'clock p.m. today.

AFTER RECESS

The Senate met at 2:00 o'clock p.m. and was called to order by the President.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read:

Austin, Texas
July 27, 1978

**TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, SECOND
CALLED SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be effective August 1, 1978:

**TO BE JUDGE OF THE 122ND JUDICIAL DISTRICT OF TEXAS,
GALVESTON COUNTY, UNTIL THE NEXT GENERAL ELECTION AND
UNTIL HIS SUCCESSOR SHALL BE DULY ELECTED AND QUALIFIED:**

**THE HONORABLE HENRY G. DALEHITE, JR. of Galveston, Galveston
County is replacing Judge William D. Decker who resigned.**

Respectfully submitted,

/s/DOLPH BRISCOE
GOVERNOR OF TEXAS

On motion of Senator Schwartz and by unanimous consent, Senate Rules 36, 37 and 38 were suspended in order to consider the nomination of Mr. Dalehite immediately.

Mr. Dalehite was confirmed by the following vote: Yeas 24, Nays 0.

Present-Not Voting: Creighton, Harris, Lombardino, Moore, Price, Santiesteban.

Absent-excused: McKnight.

REPORTS OF STANDING COMMITTEES

By unanimous consent, Senator Aikin submitted the following report for the Committee on Finance:

S.B. 17 (Amended)

By unanimous consent, Senator Jones of Harris submitted the following report for the Committee on Administration:

H.C.R. 4

H.C.R. 3

S.B. 18

C.S.S.C.R. 6 (Read first time)

By unanimous consent, Senator Mauzy submitted the following report for the Committee on Education:

C.S.S.C.R. 11 (Read first time)

**MOTION TO PLACE COMMITTEE SUBSTITUTE
SENATE CONCURRENT RESOLUTION 6 ON SECOND READING**

Senator Jones of Harris asked unanimous consent to suspend all necessary rules and Senate Rule 74 to take up for consideration at this time:

C.S.S.C.R. 6, Authorizing the 2nd Called Session of the 65th Legislature to adjourn sine die at 6:00 o'clock p.m., Tuesday, August 1, 1978.

There was objection.

Senator Jones of Harris then moved to suspend all necessary rules and Senate Rule 74 and take up **C.S.S.C.R. 6** for consideration at this time.

On motion of Senator Jones of Harris and by unanimous consent, the motion to suspend all necessary rules and Senate Rule 74 to take up **C.S.S.C.R. 6** for consideration was temporarily withdrawn.

HOUSE CONCURRENT RESOLUTION 3 ON SECOND READING

On motion of Senator Truan and by unanimous consent, all necessary rules and Senate Rule 74 were suspended to take up for consideration at this time:

H.C.R. 3, Granting permission to Jack Davis, et ux., to sue the state.

The resolution was read second time and was adopted.

HOUSE CONCURRENT RESOLUTION 4 ON SECOND READING

On motion of Senator Truan and by unanimous consent, all necessary rules and Senate Rule 74 were suspended to take up for consideration at this time:

H.C.R. 4, Granting permission to Bruce Anderson and Cecil R. Payne to sue the state.

The resolution was read second time and was adopted.

**COMMITTEE SUBSTITUTE
SENATE CONCURRENT RESOLUTION 11 ON SECOND READING**

On motion of Senator Longoria and by unanimous consent, all necessary rules and Senate Rule 74 were suspended to take up for consideration at this time:

C.S.S.C.R. 11, Directing the Legislative Commission on Public School Finance and its executive director to study and compile information regarding reductions, if any, in public school district ad valorem tax bases and ad valorem tax revenues, as a result of the adoption of a proposed Constitutional amendment.

The resolution was read second time and was adopted.

SENATE BILL 17 ON SECOND READING

On motion of Senator Aikin and by unanimous consent, all necessary rules and Senate Rule 74 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 17, Making an appropriation to pay for the cost of publication of notice of proposed constitutional amendments.

The bill was read second time.

Senator Aikin offered the following committee amendment to the bill:

Committee Amendment Number 1

On line 7, delete "the amount necessary to pay" and insert "\$60,000"

On line 9, delete "estimated to be \$60,000"

The Committee amendment was read and was adopted.

On motion of Senator Aikin and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 17 ON THIRD READING

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 0.

Present-Not Voting: Creighton, Harris, Lombardino, Moore, Price, Santiesteban.

Absent-excused: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 0.

Present-Not Voting: Creighton, Harris, Lombardino, Moore, Price, Santiesteban.

Absent-excused: McKnight.

SENATE BILL 18 ON SECOND READING

On motion of Senator Jones of Harris and by unanimous consent, all necessary rules and Senate Rule 74 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 18, Relating to the arrangement on the ballot of certain proposed constitutional amendments; amending Section 63, Texas Election Code, as amended (Article 6.07, Vernon's Texas Election Code), by adding Subdivision 1a.

The bill was read second time and was passed to engrossment.

SENATE BILL 18 ON THIRD READING

Senator Jones of Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 18** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 0.

Present-Not Voting: Creighton, Harris, Lombardino, Moore, Price, Santiesteban.

Absent-excused: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 0.

Present-Not Voting: Creighton, Harris, Lombardino, Moore, Price, Santiesteban.

Absent-excused: McKnight.

LEAVE OF ABSENCE

Senator Braecklein was granted leave of absence for the remainder of today on account of important business on motion of Senator Blake.

COMMITTEE SUBSTITUTE SENATE CONCURRENT RESOLUTION 6 ON SECOND READING

Senator Jones of Harris moved to suspend all necessary rules and Senate Rule 74 to take up for consideration at this time:

C.S.S.C.R. 6, Authorizing the 2nd Called Session of the 65th Legislature to adjourn sine die at 6:00 o'clock p.m., Tuesday, August 1, 1978.

The motion prevailed by the following vote: Yeas 17, Nays 7.

Yeas: Aikin, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Longoria, Mauzy, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Andujar, Blake, Jones of Taylor, Kothmann, Meier, Mengden, Patman.

Present-Not Voting: Creighton, Harris, Lombardino, Moore, Price.

Absent-excused: Braecklein, McKnight.

The resolution was read second time and was adopted by the following vote:
Yeas 16, Nays 11.

Yeas: Aikin, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Longoria, Mauzy, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan.

Nays: Andujar, Blake, Clower, Hance, Jones of Taylor, Kothmann, Meier, Mengden, Patman, Price, Williams.

Absent: Lombardino, Moore.

Absent-excused: Braecklein, McKnight.

MEMORIAL RESOLUTIONS

S.R. 81 - By Doggett: Memorial resolution for Miss Josleen Lockhart.

S.R. 83 - By Doggett: Memorial resolution for Dr. F. Loren Winship.

S.R. 84 - By Doggett: Memorial resolution for Mrs. Joanna Cornell.

S.R. 85 - By Doggett: Memorial resolution for Mrs. Jane C. Langford.

WELCOME RESOLUTION

S.R. 82 - By Doggett: Extending welcome to Dr. James C. Suggs.

ADJOURNMENT

On motion of Senator Aikin the Senate at 2:36 o'clock p.m. adjourned until 10:30 o'clock a.m. Monday, July 31, 1978.

RECORD OF VOTES

Senators Patman and Mengden asked to be recorded as voting "Nay" on the motion to adjourn until Monday, July 31, 1978.

In Memory

of

Roy Grimes

Senator Moore offered the following resolution:

(Senate Resolution 86)

WHEREAS, Those in legislative circles and members of the Capitol Press Corps were deeply saddened by the death of Roy Grimes, talented writer, historian, and authority on politics and government, on Monday, July 24, 1978; and

WHEREAS, A direct descendant of Jesse Grimes, a signer of the Texas Declaration of Independence, Roy Grimes' roots reached back to the very beginnings of his native state, prompting a lifelong interest and pride in its history and traditions; and

WHEREAS, Through long study and research he became an expert on the Texas past, a respected historian whose writings included a comprehensive history of Victoria County, a definitive study of the massacre at Goliad, and a widely-acclaimed series of newspaper articles on the governors of Texas; and

WHEREAS, Beginning his distinguished career in journalism on the San Antonio Express in 1928, Roy Grimes later served as reporter, city editor, and Austin correspondent of the Houston Post; his journalistic experience and writing ability were also exercised as Austin correspondent of the San Antonio Express, writer for the Long News Service, editor of the Cuero Record, and editorial page editor of the Victoria Advocate; and

WHEREAS, His abilities were widely known and respected in political circles and, for several years, he was public relations director for the Republican Party of Texas; at the time of his death, he was administrative assistant to Senator William T. Moore of Bryan; and

WHEREAS, Born September 12, 1907, in Port Arthur, Texas, Roy Grimes was married to Miss Joyce Smith of Gonzales on October 5, 1935; he was a veteran of World War II, a member of the Sons of the Republic of Texas, St. David's Episcopal Church of Austin, and the Headliners Club of Austin; and

WHEREAS, His long experience in observing, analyzing, and reporting activities of state government made him particularly knowledgeable and perceptive in this field, and through the exercise of his sound judgment and expertise during his employment with the legislature he proved to be of outstanding value in the conduct of day-to-day operations in the Texas Senate and, in turn, in service to the people of Texas; now, therefore, be it

RESOLVED, That the Senate of the 65th Legislature, 2nd Called Session, pay tribute to this outstanding newspaperman, political analyst, and distinguished citizen, Roy Grimes, who will be sorely missed by all who knew and loved and respected him; and, be it further

RESOLVED, That the Senate of the State of Texas extend sympathy to the members of his family on their great loss: to his wife, Mrs. Joyce Grimes; his two sons, Roy Joseph Grimes and Philip Coe Grimes; and his four grandchildren; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of his immediate family and that when the Senate of the State of Texas adjourns this day, it do so in memory of Roy Grimes.

MOORE
McKNIGHT

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Moore and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

In Memory

of

Texas Ranger Bobby Paul Doherty

Senator Patman offered the following resolution:

(House Concurrent Resolution 16)

WHEREAS, The citizens of the State of Texas deeply mourn the tragic death of Texas Ranger Bobby Paul Doherty, who died on February 21, 1978, at age 41, of a wound received the previous day in the line of duty; and

WHEREAS, A native of Mt. Calm and a graduate of Lamar University, this courageous law enforcement officer began his distinguished career with the Department of Public Safety in 1958 and was initially assigned to highway patrol service in Wharton; and

WHEREAS, After a short tour of duty in Gainesville, he was moved to his last home station, Fort Worth, in 1968; and

WHEREAS, Demonstrating early in his career an exceptional aptitude for law enforcement, he steadily advanced in the department and was promoted to Patrolman II in 1973 and appointed to the elite Texas Rangers in 1976; and

WHEREAS, The exemplary life of this dedicated public servant ended prematurely in action to maintain a lawful and peaceful society, and his death is a profound loss for all Texans; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That the 65th Legislature, 2nd Called Session, honor the memory of Texas Ranger Bobby Paul Doherty and extend sympathy to his family: his wife, Mrs. Carolyn Doherty of Azle; his son, Buster Wayne Doherty of Azle; his daughter, Kelly Lyn Doherty of Azle; his mother, Mrs. Doris Scruggs of River Oaks; and his grandmother, Mrs. Willie Scruggs of River Oaks; and, be it further

RESOLVED, That official copies of this resolution be prepared for members of his immediate family, and that when the House of Representatives and the Senate of the State of Texas adjourn this day, they do so in tribute to and in memory of Texas Ranger Bobby Paul Doherty.

The resolution was read.

On motion of Senator Patman and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Patman and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.